

of record to show that the claimed products could be made as the Office has alleged. If, in fact, the claimed product can be made by the alleged process, the Office has failed to show that this process is materially different from the claimed process. Moreover, the products of Group I *are* made by the process of Group II. Accordingly, the Applicants respectfully submit that the Restriction Requirement is unsustainable, and it should therefore be withdrawn.

In addition, the Applicants respectfully traverse on the grounds that the Office has not shown that a burden exists in searching the entire application.

Moreover, MPEP §803 states as follows:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on its merits, even though it includes claims to distinct or independent inventions.

Applicants submit that a search of all claims would not constitute a serious burden on the Office.

Additionally, MPEP §821.04 states:

...if applicant elects claims directed to the product, and a product claim is subsequently found allowable, withdrawn process claims which depend from or otherwise include all the limitations of the allowable product claim will be rejoined.

Applicants respectfully submit that should the elected group be found allowable, non-elected process claims should be rejoined.

For the reasons set forth above, Applicants contend that the Restriction Requirement is improper and should be withdrawn.

Applicants further submit that this application is now in condition for examination on the merits and an early notification to that effect is earnestly solicited.

Respectfully submitted,

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